

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ROSE COULTER-OWENS, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

TIME INC., a Delaware Corporation,

Defendant.

Case No. 2:12-cv-14390-GCS-MKM

Hon. George C. Steeh

DECLARATION OF KARAN SIMONEAU

I, Karan Simoneau, hereby declare as follows:

1. I have been employed by Time Inc. ("Time") since 1995. My current position is Executive Director, Marketing Operations. I have been in this position since 2009. I make the statements in this declaration based upon my personal knowledge. If called upon to do so, I could and would testify thereto under oath.

2. Time enters into agreements with numerous third-parties that allow those third parties to sell subscriptions to Time-published magazines to consumers as part of various programs or promotions.

3. [REDACTED]

[REDACTED]

4. When a person purchases a subscription from a third-party as part of a program/promotion, they are transacting directly with the third-party seller.

5. The third-party seller is the entity that charges the purchaser's credit card or invoices them and is considered the vendor of record for purposes of the transaction.

6. To the extent the purchaser has a billing issue they would call the third-party seller to address the issue. If the purchaser called Time to raise a billing issue, Time would direct the purchaser to contact the third-party seller.

7. Likewise, to the extent the purchaser does not receive a magazine they ordered, they would call the third-party seller to attempt to address the issue. If the purchaser called Time to raise the issue, Time would direct the purchaser to contact the third-party seller.

8. A person that purchased their subscription from a third-party seller cannot make any payment transactions related to that subscription on Time's website. Nor can they collect any refunds from Time.

9. In a situation where a person purchases a subscription from a third-party seller, the third-party seller has the ability to, and often does, send solicitations to the subscriber to attempt to get them to continue their subscription or purchase a new subscription from the third-party seller.

10. After a person purchases a subscription from a third-party seller, that third-party seller will provide Time with the subscriber's name and address and the titles of the magazines the person subscribed to so that Time can have the magazines delivered. The third-party seller does not provide Time with the purchaser's credit card information or any other payment information.

I declare the following under penalty of perjury that the foregoing is true and correct. Executed in New York, NY on September 30, 2015.



Karan Simoneau